# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

PACIFIC MARITIME ASSOCIATION	)
Plaintiff,	) Case No. 1:12-cv-01477-BAH ) Judge Beryl A. Howell
V.	) ) )
NATIONAL LABOR RELATIONS BOARD	) ) )
Defendant.	) ) )

### PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Plaintiff Pacific Maritime Association ("PMA"), by and through undersigned counsel, respectfully moves this Court to enter summary judgment in Plaintiff's favor. The grounds for this motion are set forth in the accompanying memorandum of points and authorities. In accordance with LCvR 7(c), a proposed Order is attached.

Further, pursuant to LCvR 7(f), Plaintiff requests an oral hearing on this motion.

Dated: October 16, 2012

Respectfully submitted,

/s/ Howard M. Radzely
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PACIFIC MARITIME ASSOCIATION	)
Plaintiff,	) Case No. 1:12-cv-01477-BAH ) Judge Beryl A. Howell )
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NATIONAL LABOR RELATIONS BOARD	) ) )
Defendant.	

#### **PROPOSED ORDER**

After considering Plaintiff's Motion for Summary Judgment, Memorandum of Points and Authorities in Support of Plaintiff's Motion for Summary Judgment, any Memorandum of Points and Authorities in Opposition to Plaintiff's Motion for Summary Judgment, and all other relevant papers, pleadings, and related attachments,

#### IT IS HEREBY ORDERED:

- (1) that the Motion is GRANTED, with summary judgment entered in favor of Plaintiff,
- (2) the decision of the National Labor Relations Board in *International Brotherhood of Electrical Workers, Local 48*, 358 NLRB No. 102 (Aug. 13, 2012) is hereby DECLARED null and void.
- (3) Defendant, its agents, employees, successors, and all other persons are ENJOINED from enforcing, applying, or implementing (or requiring others to enforce, apply, or implement) the decision in *IBEW*, *Local 48*, 358 NLRB No. 102 (Aug. 13, 2012).

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SO ORDERED this day of, 2012.	
	Honorable Beryl A. Howell
	United States District Judge